15.30 hrs.

Title: Regarding introduction of Bills.

MR. DEPUTY-SPEAKER: Now, we take Supplementary List of Business.

SHRI SONTOSH MOHAN DEV (SILCHAR): Sir, you had said that the time was extended for the particular purpose to pass that Bill. No Supplementary List of Business can come. It will be disrespect to our feelings. I have also given a notice of objection. ...(*Interruptions*)

कुंवर अखिलेश सिंह (महाराजगंज, उ.प्र.) : उपाध्यक्ष महोदय, प्राईवेट मेम्बर बिल का समय हो गया है।

MR. DEPUTY-SPEAKER: Hon. Speaker has already approved it. â€¦..

...(*Interruptions*)

MR. DEPUTY-SPEAKER: I will have to seek the consent of the House.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: Hon. Speaker has accepted the Supplementary List of Business.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: I extend the time by another 10 minutes for introduction of the Bills mentioned in Supplementary List of Business.

...(*Interruptions*)

SHRI SONTOSH MOHAN DEV : Sir, we will walk out. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Please do not do that.

...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): There can be no Supplementary List of Business. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: You have given the notice. I will come to that.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL (LATUR): Mr. Deputy-Speaker, Sir, the hon. Member has some objection. Please allow him to speak. Then, the Minister is in a position to reply and let him convince as to why it is urgent.

MR. DEPUTY-SPEAKER: Yes. There are four Bills. I think, on two Bills, there is no objection and there are two Bill on which there are objections. I will give the floor to them and then the hon. Minister will reply.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: Your leader is on his legs. Now, let us hear Shri Shivraj Patil.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, we have strong reservations. Our Members have strong reservations. Let them say what they have to say. We will hear them. Let him convince us as to why it is so important and necessary. After he finishes, allow me also to speak. Then, we shall see what can be done in the matter. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Shivraj Patil, only on two Bills, objections have been raised.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, we will read the directions and rules. Let them convince us. We do not mean to be obstructive, but please allow us also to do our duty. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Yes. Shri Arun Jaitley, you just explain to them.

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN

JAITLEY): Sir, I beg to move for leave to introduce the Constitution (Ninety-eighth Amendment) Bill, 2003. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: You explain to them what is the need for a hurry - this is what they want to know − so that you can clear their objections.

...(*Interruptions*)

SHRI PAWAN KUMAR BANSAL (CHANDIGARH): Sir, this Bill has not even been circulated. ...(*Interruptions*)

SHRI SONTOSH MOHAN DEV : Sir, we have co-operated with this Government. This is one of the best Budget Sessions. With co-operation of all the parties, everything has gone smoothly. We come from the North-Eastern region, which is as volcanic as Kashmir. Do not play with us in every matter. This Bill, which has come today, is a very disputed Bill. This was given to us by our mother Shrimati Indira Gandhi in 1983 for the safety of the minorities − religious and linguistic. Now, without discussing it, this Bill has been brought on priority. I do not know why they are in a hurry. Even if they are in a hurry, let it come in the next Session when we will discuss and debate it. I will humbly request Shri Advani, who knows the situation of our area, to not give scope to have another ethnic trouble or linguistic trouble in the North-Eastern region.

We supported another Bill, the Bodo Bill. Our Government had brought it. Why are you in a hurry? Please do not rush it like that. You bring it in the next Session. We will discuss it and come to some adjustments, and something will be there, but please do not do like that. We have to answer our electorates. They will say that on the last day, this is how we are performing our duties in Parliament. Kindly do not press for it and leave as it is. This is my humble request.

Sir, even if you go through the book, Direction 19(B) clearly states that without giving two days' notice, the Bill cannot be brought. Even the object of the Bill has not been circulated right now. How can it be done like this? So, please do not allow it. Sir, you are trying to help the Government out of the way by superceding the wishes of the majority of the Members of Parliament, which should not be done.

SHRI G.M. BANATWALLA (PONNANI): There is no cause for hurry. All the rules are being ignored. ...(*Interruptions*)

SHRI PAWAN KUMAR BANSAL : Mr. Deptuty-Speaker Sir, unfortunately ...(*Interruptions*)

SHRI G.M. BANATWALLA : ...(*Interruptions*) The supplementary agenda comes up even when there is no time. ...(*Interruptions*)

SHRI SONTOSH MOHAN DEV : ...(*Interruptions*) In the past we introduced a Bill, and it was objected to by the present ruling Government. They were sitting on this side at that time. Shri Shivraj V. Patil was in the Chair. He did not allow our Minister to move the Bill. You should go by the precedent. There is a precedent in this House. ...(*Interruptions*)

SHRI HANNAN MOLLAH (ULUBERIA): Sir, it has become a regular practice.

...(*Interruptions*)

SHRI G.M. BANATWALLA : There is no cause for hurry. There is absolutely no cause for this hurry, and there is no cause for suspension of any rules whatsoever.

कुंवर अखिलेश सिंह : मान्यवर उपाध्यक्ष महोदय, अगर यह सरकार कोई बिल लाना चाहती है तो सत्र का कार्यकाल दो दिन और बढ़ा दे। हम इसके लिए तैयार हैं कि दो दिन सत्र का समय और बढ़ा दिया जाये। लेकिन इस तरह से आपाधापी में यह बिल पास कराना उचित नहीं है।â€¦ (व्यवधान)

श्री रामदास आठवले (पंढरपुर) : उपाध्यक्ष महोदय, सरकार को अगर टाइम और चाहिए तो प्राइवेट मैम्बर्स बिल को पोस्टपोन कर देना चाहिए और इसे अगले सैशन में लाना चाहिए।â€¦ (व्यवधान)

SHRI G.M. BANATWALLA : There is no cause for hurry or for suspension of any rules. Mr. Deputy-Speaker Sir, let me be heard. There is no cause for any hurry whatsoever and there is no cause for suspension of any rules. The rule with respect to two days prior circulation of the Bill is being suspended, and the time is also being unduly extended.

Sir, this is Budget Session. This Session started in February, and we are now in May. More than two and a half months time was available with the Government to have managed its business. This is not the way the House should be taken. A very important Bill, which flouts the provisions of the Constitution or the agreement, is sought to be introduced.

MR. DEPUTY-SPEAKER: Shri Varkala Radhakrishnan. He has given a notice for raising an objection.

...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, I strongly object to this procedure.

MR. DEPUTY-SPEAKER: Yes, I have received your notice.

SHRI VARKALA RADHAKRISHNAN : As I have already mentioned, there is a tendency to treat the House like a rubber stamp.

Now, we were meeting here for the last two or three months, as pointed out by Shri G. M. Banatwalla. Was the Government sleeping? They had ample time to think over the matter and do it at the proper time. They did not do it, and at the fag end of the Session they are coming up with some disputed matters in the form of a Bill.

Now, this Constitution (Amendment) Bill is not a simple Bill. It is a well thought out Bill. It was drafted after much discussions and deliberations. After doing that and after going through that exercise, they have come here and they say that we have come to move a Bill as a supplementary item. It is not even in the List of Business which was circulated. This has become a practice for the ruling party to come on a day, appear before the House, and say that we have to do it. They have circulated it in the List of Business for the day thinking that the computer is there, and they will get it typed and circulated. They think that this is, more or less, a Library meeting. They have turned this House into a Library meeting, disregarding all Rules of Procedure; violating all Rules of Procedure. Everyday they come to this House for exemption of the rules; for exemption of the Speaker's Directions 19(A), 19(B). Everyday you come with that. Is this a Parliament? Are we not ashamed of doing such things in this august House, the supreme body of the land? I am ashamed. I can understand if some innocent person from the Library or the Secretariat comes and asks for something like this.

They have a Law Ministry and they have the legal experts. They could have done it in an appropriate manner, at an appropriate time. Without doing that, they come to the House and ask us to sit at their whims and fancies. This cannot be allowed and I strongly object to that.

Hon. Deputy-Speaker, Sir, you are our custodian and I request you to simply follow the rules. ...(*Interruptions*)

SHRI SONTOSH MOHAN DEV : Mr. Deputy-Speaker, Sir, it is written here that these Bills will be taken up for consideration and passing today itself. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I will give the ruling after this.

DR. JAYANT RONGPI (AUTONOMOUS DISTRICT ASSAM): Sir, I should also be heard because I have given a notice in this regard.

SHRI PAWAN KUMAR BANSAL : Sir, unfortunately, there has been a tendency, a practice, which is rather now a habit with this Government, that the number of sittings for every succeeding Session is being curtailed. If you look at the Sessions for the last three years, the number of days for which we should have been sitting have been drastically reduced. If there is an emergency and a Bill is introduced even in the last minute, we can understand that and we would certainly like to cooperate with the Government. What is happening here is that even Bills warranting waiving of certain rules are being circulated just when the members are present in the House. It is not that we receive them in the morning. The requirement is of two days. One can understand that. In the morning, at our residences, we receive certain things which would, in fact, enable us to raise some objections about the legislative competence etc., if it occurs to us. However, sitting in the House, I am personally collecting papers right now; even the papers have not been circulated to us. I am going around and taking the papers from another hon. Member. That is how things are being done.

I would certainly object to the procedure that is being followed. What it really leads to is that the quality of work suffers. Everyday, we find more than is the length or the substance of the Bill is the form of corrections thereto and corrigendum to every clause. Even to the Statement of Objects and Reasons, we find that the corrections are being supplied. Is this the way the Government should function? Is this the way the legislative records of the country should be maintained? This is what is happening today. I know that the hon. Law Minister and the hon. Deputy Prime Minister are competent persons. It is not they, who draft everything. Today, these two Bills have been circulated and, I am sure, tomorrow, we would have corrections to these Bills. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I understand that it is a very important matter. Let us hear the hon. Minister of Parliamentary Affairs on this issue.

डॉ. रघुवंश प्रसाद सिंह (वैशाली) : उपाध्यक्ष महोदय, चार-चार विधेयक पहले ही आये हुए हैं। â€¦(व्यवधान)यह तीन-चार महीने का सैशन हुआ है। नियम 72 के अधीन हम लोगों का विरोध करने का अधिकार है। â€¦(व्यवधान)इस तरह से अफरा-तफरी में कैसे विधेयक आ जायेगा ? â€¦(व्यवधान)

आज प्राइवेट मैम्बर बिल के समय में भी कटौती की गयी है। â€¦ (व्यवधान)इन सभी बातों को देखते हुए यह विधेयक वापिस लिया जाये। â€¦ (व्यवधान)

MR. DEPUTY-SPEAKER: Dr. Raghuvansh Prasad Singh, let me hear what the hon. Minister has to say on this.

DR. JAYANT RONGPI : Sir, I should also be heard because I have given a notice on this.

SHRI PAWAN KUMAR BANSAL : Sir, please give me half-a-minute more because I have not yet completed. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Only when I give permission, you can speak. Let me hear the Minister. I have given the floor to her.

SHRI PAWAN KUMAR BANSAL : Let me complete my arguments.

MR. DEPUTY-SPEAKER: You have already completed your arguments.

...(*Interruptions*)

डॉ. रघुवंश प्रसाद सिंह : ये कैसे अफरा-तफरी में विधेयक ला रहे हैं। â€¦ (व्यवधान)

SHRI PAWAN KUMAR BANSAL : Sir, please give me half-a-minute. When we have the statements, when we have the reasons for moving these Bills at the last moment, we do not expect it to be done as a formality. They say that the House is adjourning and it is necessary to bring these Bills before the House and, therefore, it is being done. What really has to be told to the House is when the decision was taken by the Government, what are the circumstances that warranted this decision and why the decision was not taken earlier. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I will give my ruling on that.

SHRI PAWAN KUMAR BANSAL : If you do not want to listen to me, it is a different matter. I am making a point.

MR. DEPUTY-SPEAKER: Let me hear her.

SHRI PAWAN KUMAR BANSAL : The moment I complete what I want to say, you can hear her.

MR. DEPUTY-SPEAKER: You have already stated whatever you wanted to say.

श्री पवन कुमार बंसल : आप मुझे पूरी बात भी नहीं करने दे रहे। You are presuming all that. You are not letting me complete. All that I am saying is that in this half-a-page, they have given the reasons. In fact, it is no reason at all. It only says that 'the Government considers it expedient'....(*Interruptions*)

SHRI SONTOSH MOHAN DEV : Within five minutes time, they want to take away the rights of nearly one crore minorities.

SHRI PAWAN KUMAR BANSAL : We would like to know the exact details as to when the Cabinet decided on it and what led it to decide at this moment and not earlier. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Bansal, let me hear the Minister please.

...(*Interruptions*)

DR. JAYANT RONGPI : Sir, the Bill involves one of the tribal areas of Assam. I represent a tribal area in Assam. You must give me protection and enable me to discharge my responsibilities as a Member of Parliament representing that area. I did not get a copy of the Bill in advance. I got a copy of the Bill just a few minutes ago. How can I go through it and formulate my opinion on it in such a short time? How can I discharge my responsibility as a Member of Parliament? I seek your protection.

The Sixth Schedule of the Constitution is being sought to be amended by one of the clauses of the Bill. The entire area of Assam is burning. Clause 8 has been objected to by thousands of youths. Through this clause the entire scheduling structure of the Scheduled Tribes of hills and plains of Assam is going to be dismantled. Lakhs of students are coming onto the streets against this. On such a serious matter, I have got a copy of the Bill only a few minutes back. How can I discharge my responsibility? We have seen a serious disaster in Manipur and Nagaland. More dangerous ethnic clashes will be generated if proper time is not spent and the Bill is not discussed properly. I have serious objection to this Bill being brought this way. There should be a proper discussion. The Bill should be deferred.

MR. DEPUTY-SPEAKER: Let me hear the view of the Government.

DR. JAYANT RONGPI : What is the reason that at the fag end of the Session this Bill has been brought before the House? Why is it that proper time has not been given? Why has the Bill not been circulated in time? We seek your protection so that we can discharge our responsibilities as Members of Parliament.

स्वास्थ्य और परिवार कल्याण मंत्री तथा संसदीय कार्य मंत्री (श्रीमती सुमा स्वराज) : उपाध्यक्ष महोदय, सबसे पहले मैं एक भ्रान्ति दूर कर दूं। कुछ सांसद साथियों को लग रहा है कि हम यह बिल पारित करवा रहे हैं। हम यह बिल पारित नहीं करवा रहे हैं, इंट्रोड्यूस कर रहे हैं।â€¦ (व्यवधान)

MR. DEPUTY-SPEAKER: Let me hear what the Minister says.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record except the Minister.

*(Interruptions) â€¦**

*** Not Recorded**

श्रीमती सुमा स्वराज : उपाध्यक्ष जी, अखिलेश जी ने खुद खड़े होकर यह कहा कि आपा-धापी में बिल पास कराने की क्या जल्दी है। इसका मतलब है कि वे सोच रहे हैं कि हंम बिल पास करवा रहे हैं। रोंगपी जी ने अभी कहा कि मैं अपना ओपीनियन कैसे दूं, फैग एंड में बिल आया है। ये सब बातें इस बात से निकलती हैं कि हम बिल पारित करवा रहे हैं। हम बिल पारित नहीं करवा रहे हैं, बिल इंट्रोड्यूस कर रहे हैं। बिल इंट्रोडक्शन के लिए दो ऑब्जैक्शन्स आई हैं - एक ऑब्जैक्शन आई है कि 19बी की डायरैक्शन्स फ्लाउट की जा रही हैं और दूसरी आई है कि उन्होंने रीज़न नहीं बताए, जो पवन जी ने कहा। अब मुझे उनका जवाब देना है। पहले मैं उन दोनों का जवाब देना चाहती हूं जो यह समझ रहे हैं कि बिल पास करवा रहे हैं। जहां तक क्लाज़ 19बी का सवाल है, यह बिल्कुल वाजेह बात है कि दो दिन पहले बिल सर्कुलेट होना चाहिए लेकिन इसी क्लाज़ 19बी में ही लिखा है कि अगर दो दिन पहले सर्कुलेट न किया जाए तो कब किया जा सकता है। अब मैं 19बी का वह पार्ट पढ़ना चाहती हूं।

कुंवर अखिलेश सिंह : आप सदन का समय दो दिन और बढ़ा दीजिए।

श्रीमती सुमा स्वराज : इसमें कोई दो दिन सदन का समय नहीं बढ़ाना । बिल पारित थोड़े ही करना है?

अब आप क्लाज़ 19बी देखिए ---

> "â€¦ where the Minister desires that the Bill may be introduced earlier than two days after the circulation of copies or even without prior circulation, he shall give full reasons in a memorandum for the consideration of the Speaker explaining as to why the Bill is sought to be introduced without making available to members copies thereof in advance, and if the Speaker gives permission, the Bill shall be included in the list of business for the day on which the Bill is proposed to be introduced."

SHRI VARKALA RADHAKRISHNAN : Sir, she is not correct.

MR. DEPUTY-SPEAKER: Shri Radhakrishnan, please let her complete.

...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Varkala Radhakrishnan, you are not to decide, I have to decide. Why do you not hear the hon. Minister?

श्रीमती सुमा स्वराज : उपाध्यक्ष जी, इसका मतलब है कि अगर 19 बी डाइरेक्शन का उल्लंघन करते हुए आप दो दिन का सरकुलेशन किये बिना बिल लाना चाहते हैं तो सरकार को दो काम करने हैं। एक तो मंत्रियों को रीजन देने हैं। दूसरे स्पीकर साहब से परमिशन मांगनी है और अगर स्पीकर साहब परमिशन दे दें तो बिल इंट्रोडक्शन के लिए वैसे ही लगेगा जैसे 19 बी पूरा हो चुका है। यहां ये दोनों काम हुए। ये तीनों रीजन्स, जो बिल पारित हो रहे हैं, मंत्रियों के द्वारा स्पीकर साहब को दिये गये। स्पीकर साहब ने परमिशन दी। स्पीकर साहब से परमिशन मिलने के बाद ये बिल सप्लीमेंट्री लिस्ट ऑफ बिजनैस में लगे। सारी प्रक्रिया पूरी करने के बाद यह बिल आया है। यहां पूर्व स्पीकर साहब बैठे हैं। उन्होंने भी ऐसी परमिशन दस बार दी होगी। दस बार उनसे 19 बी के लिए एग्जेम्पशन मांगा गया होगा। दस बार उन्होंने ऐसी इजाजत दी होगी।â€¦ (व्यवधान)

SHRI SONTOSH MOHAN DEV : Sushmaji, you yourself have said, 'the List of Business of the Day'. That means, it should be circulated in advance...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Sontosh Mohan Dev, let her complete. I will call you but let her complete first.

...(*Interruptions*)

SHRI SONTOSH MOHAN DEV : Madam, you yourself have said that it should be included in the List of Business for the day.

SHRIMATI SUSHMA SWARAJ: Supplementary List of Business on any day is a part the List of Business of that day.

SHRI SONTOSH MOHAN DEV : I will accept it.

श्रीमती सुमा स्वराज : अब सवाल आता है कि दोनों प्रक्रियाएं पूरी हो गईं। दोनों मंत्रियों ने रीजन दिये। स्पीकर साहब ने परमिशन दी। बिल लिस्ट में लग गये। अब सवाल आता है कि एक तो यह है कि इसके बाद इंट्रोडक्शन स्टेज में विरोध हो सकता है लेकिन केवल एक आधार पर और वह लेजिस्लेटिव कंपीटेंस है तो वह िवरोध कोई कर नहीं रहा है। अब शिवराज जी ने बात उठाई कि हमें कंविन्स करो कि क्या कारण है। यह बिल क्यों ला रहे हैं। यहीं पर पिछले सप्ताह और यह संयोग है कि पीठासीन सभापति आप ही थे। शिवराज जी ने सवाल उठाया। हमारे यहां स्टैंडिंग कमेटी की व्यवस्था इसलिए है कि वे बिल को थौरोली देखें। हम यह नहीं चाहेंगे कि सरकार बिल लाए और स्टैंडिंग कमेटी को भेजे बिना सदन के सामने रखे। उपाध्यक्ष जी, आप तो जानते हैं कि आज इस सत्र का आखिरी दिन है। हम बिल केवल इसलिए आज इंट्रोड्यूस करना चाहते हं कि यह बिल स्टैंडिंग कमेटी को चला जाए। जो रौंगटी जी ने कहा है कि मैं अपना ओपिनियन कहां रखूं, मैं अपनी बात कहां रखूं। ये बिल इंट्रोड्यूस होंगे तो स्पीकर साहब स्टैंडिंग कमेटी को भेजेंगे। माननीय संतोा मोहन देव जी, शिवराज जी, अखिलेश जी, रौंगटी जी, बनातवाला जी अपनी बातें स्टैंडिंग कमेटी में रखें, स्टैंडिंग कमेटी अपनी रिकमेंडेशन देगी। उन रिकमेंडेशंस को दुबारा मंत्रालय देखेगा। इसके बाद बिल फिर कैबिनिट के पास जाएगा। फिर बिल पारित होने के लिए आएगा। इन सारी प्रक्रियाओं से बिल गुजरेगा। आज केवल बिल इंट्रोड्यूस हो रहा है ताकि यह जो एक महीने का समय है क्योंकि अब हम जुलाई के मानसून सैशन में आएंगे।

श्री जी.एम.बनातवाला : तो क्या बिना सोचे-समझे बिल के इंट्रोडक्शन की इजाजत हो जानी चाहिए ?â€¦ (व्यवधान)

श्रीमती सुमा स्वराज : स्टैंडिंग कमेटी अपना काम करे। यह बिल स्टैंडिंग कमेटी को सौंप दिया जाए। आज हम केवल बिल इंट्रोड्यूस कर रहे हैं। हम स्कटल करने के लिए नहीं कर रहे हैं। न हम डिबेट स्कटल करना चाहते हैं, न रौंगटी जी का ओपिनियन हम स्कटल करना चाहते हैं, न बनातवाला जी की बोली हम स्कटल करना चाहते हैं। हम तो शिवराज जी की बात मानते हुए यह बिल आज इंट्रोड्यूस कर रहे हैं ताकि बिल स्टैंडिंग कमेटी को चला जाए।

उपाध्यक्ष महोदय : शिवराज जी, आपको कुछ कहना है?

â€¦ (व्यवधान)

उपाध्यक्ष महोदय : आठवले जी, काफी एक्सप्लेनेश हो गया। 19 बी का काफी व्यापक रूप से बयान हो गया।

SHRI SHIVRAJ V. PATIL : Sir, I would like to say that the hon. Minister of Parliamentary Affairs is a very very skilful parliamentarian, and I hope that she would not use her skill to get permission from us as well as to do certain things which are not correct.

Sir, I would say that I appreciate her very much and thank her very much for saying on the floor of the House that she is not wanting to pass these Bills here in the House now but she is intending to send these Bills to the Standing Committee so that they can be thoroughly examined by the Members.

This is a welcome step. We appreciate you and thank you also. This is one thing.

The second thing is this. Let me, for the sake of putting the record correct and for future guidance, read certain things. Let me put my argument before you that we are not trying to force you. You have the majority. You will get it decided. You know that we have been cooperating. When some reasonable suggestions are given, we are cooperating more than what we said. I hope that my colleagues also will consider it and they would suggest also as to what I should do. The intention is to cooperate not to obstruct. Yet, we shall have to do things in a correct manner. You are reading only Direction 19A, which says:

> "(1) A Minister desiring to move for leave to introduce a Bill shall give notice in writing of his intention to do so."
>
> "(2) The period of notice of a motion for leave to introduce a Bill under this direction shall be seven days unless the Speaker allows the motion to he made at shorter notice." "

Direction 19B says:

> " No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of members for at least two days before the day on which the Bill is proposed to be introduced. "

Why are these provisions made? These provisions are made to facilitate the Members to read the Bills. As far as Shri Jaitley's Bill is concerned, that is in circulation. At least the idea is in circulation, if not the Bill. But as far as the Bills are concerned, we are quite obvious as to what these Bills were containing, until the time they were given to us. Yet, I am not going to obstruct it. I am trying to keep the correct record so that it can help us in the future.

Shrimati Sushma Swaraj, you said that I might have allowed so many Bills to be introduced like this. I can assure you that I did not allow four Constitution Amendment Bills which were introduced in the House with a notice of one hour and were asked to be passed. I had not done that. ...(*Interruptions*)

These are Constitution Amendment Bills. Shri Jaitley's Constitution Amendment Bill is relating to the Judiciary. That has been in circulation. The Review Committee has discussed; the media has discussed. We have some idea. Yet,

it is a Bill which goes to the very root of the judicial functioning, and it will go to the Standing Committee. That is why we have an opportunity to express our views on this.

The second Bill relates to creating a body which has the administrative powers, the financial powers, and the legislative powers. You are asking us to pass such a Bill. Then, the second Bill is about doing away with a law which was in existence since 1983. You had enough time. We were sitting here for more than a month. It could have been possible for the Government of India to think that these are important pieces of legislation. We should come before the House, and it should be passed. It could have been done. Today is the last day of the Session. Only two or three hours before the House is going to be adjourned, you are introducing this Bill, and you are asking us to pass it. Moreover, why is this misunderstanding about passing it? It is because the note itself says that the same may be introduced and considered. The note itself is saying and you have assured us that it is not for consideration. So, that assurance of yours is helping us a lot to cooperate with you. You please understand. Let me say this is something which should never be done. Never, never should be done. These are Constitution Amendment Bills. This House is a sovereign body. You are expecting us to say 'yes' or 'no' to the Bills which will come before this House to be introduced. We do not know as to what are going to be the implications for the North-Eastern States, as to what are going to be the implications for the entire country, and as to what are going to be the implications for the Judiciary as such.

Then, we are creating so many new things. So, our agony is this. You had been sitting on this side, and you might have realised that agony also. May I tell you that one of such Bills was brought before this House − the Delhi Rent Control Bill − and at the last moment, it was passed.

16.00 hrs.

No hon. Member, but the Chairperson objected to the passing of that Bill. The Government and the Opposition, at that time, asked as to what the Presiding Officer had to do with this Bill? He had to just say 'yes' and 'no' and then, had to pass the Bill. But I had said that if they pass that Bill, they would repent; they would come back to this House very soon thereafter saying that that Bill should not have been passed. Exactly, that has happened.

That Bill was passed here; it was taken to the Rajya Sabha; it was signed by the President also; but no notification was issued. Still I think, that Bill was not implemented. In the next Session itself, the Government came with some amendments to that Bill.

The Government and the Opposition, in one voice, had said that we were all sitting here and we were all doing these things; why should the Presiding Officer object to it?

Madam, you may understand the Bill; we may understand the Bill. But if the time is not available and if pieces of legislation are brought forward in this fashion, it is not correct. In other countries, there is no time limitation for passing Bills; as much time you need, you are given. I really wanted to speak on the Airports Authority of India Bill. I really wanted to speak, and I was itching to speak; it was coming from within, but yet I could not speak. Why? It is because time was very limited. Everyone was saying that we have to pass the Bill. We said, okay, if you want to pass the Bill, you could pass it.

But should we do our job of law making in this fashion? Should we allot only two hours when you are changing the entire civil aviation with that Bill and when you are going to do something very important for the Judiciary? I think, you are going to create a 'sort of a new State', if not a new State; you are going to do away with the law; and yet, you are asking us to do it. Please do not do it in future at least. This is my submission to you.

Sir, you are sitting there; every Saturday it is to your fate and to my fate that we have to get involved in some arguments. I hate to enter into any arguments with the Presiding Officers, and others also. Yet, I must say that since you are sitting there, whatever ruling is given, we have to accept that. We will continue to accept. Yet our inner conscience keeps telling us that what is being done is probably not correct. ...(*Interruptions*)

SHRI PRAVIN RASHTRAPAL (PATAN): Sir, the time of the Private Members' Business is the fundamental issue. Even last Friday we did the same thing. I object to it. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Let me tell you one thing. I will take the consent of the House now.

...(*Interruptions*)

SHRI SHIVRAJ V. PATIL : Sir, if the hon. Home Minister wants to say something, we would very much welcome it. I think, we are fully assured that it is going to go to the Standing Committee.

SHRI ARUN JAITLEY: Yes.

डॉ. रघुवंश प्रसाद सिंह : उपाध्यक्ष जी, संविधान संशोधन से संबंधित विधेयक को अफरा-तफरी में कैसे इंट्रोड्यूस किया जा रहा है। प्राइवेट मैम्बर्स के समय को एंक्रोच करके इसे कैसे लाया जा रहा है। हम लोग इसका बहिकार करते हैं।

16.03 hrs.

(Dr. Raghuvansh Prasad Singh and some other hon. Members then left the House)

कुंवर अखिलेश सिंह : नियमों के विपरीत बिल इंट्रोड्यूस हो रहा है, उसके खिलाफ हमारी पार्टी इसका बहिकार करती है।

16.03-1/2 hrs.

(Kunwar Akhilesh Singh and some other hon. Members then left the House)